

Application No.10/747,793
Amendment dated: June 29, 2006

Docket No.: JNT/01

REMARKS**I. Status of the Claims**

Claims 1, 2, 7 and 18 have been amended. The amendments do not add new matter.

Claim 12 has been canceled.

Claim 21 has been added.

Claims 1-11 and 13-21 are pending in this application.

II. Status of the Specification

The specification has been amended for esthetic reasons. No new matter has been added.

Support for the amendments can be found in the abstract, summary, drawings and claims of the application as filed.

III. Acknowledgement of Allowable Subject Matter

I acknowledge the Patent Office's indication of allowable subject matter in claims 2, 3, 8-10 and 13-17 if rewritten to overcome the rejections under 35 U.S.C. § 112, 2nd paragraph.

IV. Claim Rejections under 35 U.S.C. § 112

Claim 6 does not recite the term "downward." However, claims 1 and 18 have been amended removing the term "downward."

Regarding claim 7, the Examiner states that there is insufficient antecedent basis for the limitation "the open bottom" in line 7. I direct the Examiner to claim 7, line 4 which recites "the sheath comprising an open bottom forming a cavity to receive the leg." If I have misunderstood this rejection the Examiner is kindly requested to contact me by telephone so as to expedite prosecution.

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V. Rejections Under 35 U.S.C. § 102(b)

Claims 1, 4-7, 11, 12, 18 and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,364,199 to Hillmer-Mann.

I have amended independent claims 1 and 7. Specifically, I have amended claim 1 to recite, "wherein the extension and the guide tab are sized to fit through hole-punched sheet materials." Embodiments and arrangements of my invention teach a fastener attachment (extension/sheath) which is sized to fit through holes punched in sheet material, whether it be an individual hole-punched sheet or a stack of sheets with holes aligned.

Hillmer-Mann's hinge device is configured to sit atop a paper sheet stack or between two paper sheet stacks, however Hillmer's apparatus is not sized to fit through hole-punched sheet material. Claim 1, as amended, requires that both the extension and the guide tab be sized to fit through hole-punch sheet materials. This particular feature of the present invention allows one to insert the sheath through hole-punched sheet materials without first separating the sheets into two individual stacks as required by Hillmer-Mann's design. *See, Hillmer, Figures 3-4.* By using less steps in its application, my fastener attachment (sheath) provides a more efficient method for detachably interconnect hole-punched sheet material. Referring to Figure 4a (step 1) of my published application, my sheath can be applied to an undivided sheet stack and does not require separating the stack into piles.

Claim 7 has been amended to recite that "the guide tab is sized to fit through hole-punched sheet materials." The arguments discussed above can be similarly applied to claim 7. Additionally, I note that Hillmer-Mann's hinge device does not teach or suggest a guide tab sized to fit through hole-punched sheet material. **Indeed, no part of Hillmer's device is physically capable of fitting through hole punched sheets, nor could Hillmer's plate-like design be modified as such.**

Claims 4-6, 18 and 19 depend from amended claim 1 and are patentable for at least the reasons presented above with respect to claim 1. Claim 11 depends from amended claim 7 and is patentable for at least the reasons presented above with respect to claim 7. Claim 12 has been canceled.

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VI. Rejections Under 35 U.S.C. § 103(a)

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable for obviousness over U.S. Patent No. 5,364,199 to Hillmer-Mann.

The amendments to claims 1 and 7 above render this rejection moot and I respectfully request withdrawal thereof.

VII. New Claim 21

I have added new independent claim 21 to more completely cover the subject matter of this patent application. Support for the limitations in claim 21 can be found in paragraphs [0023] and [0032] of the published application.

CONCLUSION

In view of the above amendments and remarks, it is believed that claims 1-11 and 13-21 are in condition for allowance; and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through either, a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: June 29, 2006

Respectfully submitted,

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